

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>GRACE SMITH, ESQ, et al.,</b>  <b>v.</b>  <b>NORTHAMPTON COUNTY, et al.,</b>	<b>CIVIL ACTION</b>  <b>NO. 22-3788</b>
<b>GRACE SMITH, ESQ, et al.,</b>  <b>v.</b>  <b>DR. TERESA MARLINO, et al.,</b>	<b>CIVIL ACTION</b>  <b>NO. 22-3786</b>
<b>GRACE SMITH, ESQ, et al.,</b>  <b>v.</b>  <b>ST. LUKE’S HOSPITAL UNIVERSITY HEALTHCARE NETWORK ANDERSON CAMPUS, et al.,</b>	<b>CIVIL ACTION</b>  <b>NO. 22-1478</b>

**ORDER OF DISMISAL**

**AND NOW**, this 3<sup>rd</sup> day of February, 2023, for the reasons stated in the foregoing Memoranda, it is hereby **ORDERED**:

1. All federal claims of the *pro se* Plaintiffs, Grace & Michael Smith, are **DISMISSED** with prejudice.
2. The Court declines pendent jurisdiction over Grace & Michael Smith’s state law claims.  
This Order is without prejudice to filing their state law claims in state court.
3. As to all claims of the “baby” J.A. Smith, the claims are **DISMISSED** without prejudice, and with leave for Plaintiffs within thirty (30) days to either:
  - a. Retain counsel to represent “baby” J.A. or;

- b. Petition the Court of Common Pleas of the appropriate Pennsylvania County with jurisdiction over baby J.A. for appointment of a guardian ad litem.

**BY THE COURT:**

**/s/ MICHAEL M. BAYLSON**

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**MICHAEL M. BAYLSON, U.S.D.J.**